

JAN 06 2011

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DAVID RAY BARBOUR, ) Civil Action No. 7:10-cv-00579  
Plaintiff, )  
 )  
v. ) ORDER  
 )  
LT. CANTERBURG, et al., )  
Defendants. ) By: Hon. Jackson L. Kiser  
 ) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

**ORDERED**

that plaintiff's complaint is **DISMISSED without prejudice**, pursuant to 28 U.S.C. § 1915A(b)(1); all pending motions are **DISMISSED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 6<sup>th</sup> day of January, 2011.

  
\_\_\_\_\_  
Senior United States District Judge